

**ELECTRONICALLY FILED
DECEMBER 12, 2006**

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9 *Counsel for the Official Committee of Equity Security Holders of
 USA Capital First Trust Deed Fund, LLC*

10 **UNITED STATES BANKRUPTCY COURT**

11 **DISTRICT OF NEVADA**

12 In re:	)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY	)	Chapter 11
13 Debtor)	
14 In re:	)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
15 Debtor)	
16 In re:	)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
17 Debtor)	
18 In re:	)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
19 Debtor.)	
20 In re:	)	BK-S-06-10729-LBR
USA SECURITIES, LLC,	)	Chapter 11
21 Debtor.)	
Affects)	
<input checked="" type="checkbox"/> All Debtors)	
<input type="checkbox"/> USA Commercial Mortgage Co.)	
<input type="checkbox"/> USA Securities, LLC	)	DATE: December 19, 2006
<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	TIME: 10:00 a.m.
<input type="checkbox"/> USA Capital Diversified Trust Deed)	
<input type="checkbox"/> USA First Trust Deed Fund, LLC)	

25 **EX PARTE MOTION FOR LEAVE OF COURT TO FILE JOINT BRIEF(S) IN**
 26 **SUPPORT OF CONFIRMATION IN EXCESS OF TWENTY (20) PAGES**

1 The Official Committee of Equity Security Holders of USA Capital First Trust Deed
2 Fund, LLC (the "FTDF Committee") on behalf of itself and the other Official Committees
3 appointed in the above-captioned bankruptcy cases (the "Official Committees"), and the
4 Debtors in the above-captioned bankruptcy cases (collectively "Movants"), hereby files this Ex
5 Parte Motion for Leave of Court to File a Joint Brief(s) in Support of Confirmation in Excess of
6 Twenty (20) Pages (the "Motion"), whereby Movants respectfully request that this Court allow
7 Defendants to file one or more¹ joint briefs in support of confirmation of the Plan in excess of
8 the 20 page limit prescribed by Local Rule 9014(e). This Motion is based upon the following
9 Points and Authorities, and the pleadings, papers and records on file in this case.

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11 DATED this 12th day of December, 2006.
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14

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19 and

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27 ¹ While one omnibus brief is currently contemplated, different positions may be taken by different constituencies,
28 which may necessitate additional pleadings.

POINTS AND AUTHORITIES

I. BACKGROUND

As this Court is aware, the USA bankruptcy cases are large and complex cases, including five Debtors, four official committees and numerous and complex issues regarding confirmation. In order to adequately address all of the issues without unnecessary and costly duplication of efforts, the Movants seek to file a joint brief(s) in support of confirmation. In order to do so, it is submitted that Movants will need to exceed the 20 page limitation on length.

9 The brief will include an index (table of contents) and table of authorities pursuant to Local
10 Rule 9014(e).

11 Movants have no objection to other parties filing oversized briefs, and accordingly, such
12 parties will not be prejudiced by this request.

II. LEGAL ARGUMENT

15 Local Rule 9014(e) provides in relevant part that:

16 Unless the court orders otherwise, prehearing and posthearing briefs and
17 points and authorities in support of, or in response to, motions are limited
18 to 20 pages including the motion but excluding exhibits....When the
19 court enters an order permitting a longer brief or points and authorities,
the papers must include an index, table of contents, and table of
authorities.

III. CONCLUSION

21 Based on the foregoing, it is respectfully requested that the Court grant the Motion and
22 allows the Movants to file one or more joint briefs in support of confirmation which exceed the

1 20 page limit.

2 DATED this 12th day of December, 2006.

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